

FEB 12 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *J. M. [Signature]*
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JERRY L. OLIVER,)	Civil Action No. 7:09-cv-00004
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
V. GRAY, et al.,)	By: Hon. James C. Turk
Defendants.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the complaint is **DISMISSED** for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 12th day of February, 2009.

James C. Turk

Senior United States District Judge